

**UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE**

DATA CLOUD TECHNOLOGIES, LLC,

Plaintiff,

v.

SQUARESPACE, INC.,

Defendant.

Civil Action No. 1:21-cv-00164-GBW

INTERIM STATUS REPORT

Pursuant to paragraph 13 of the Court’s Scheduling Order issued in this case on February 2, 2022 as amended, Plaintiff DataCloud Technologies, LLC and Defendant Squarespace, Inc. jointly submit this Interim Status Report on the nature of the matters in issue and the progress of discovery to date. See D.I. 44, § 13; D.I. 60; D.I. 65. Plaintiff and Defendant submitted a proposed amended Scheduling Order on November 8, 2022. See D.I. 68.

Plaintiff filed this lawsuit against Defendant on February 8, 2021, asserting infringement by Squarespace’s “website design/website builder product” and of certain claims of U.S. Patent Nos. 6,560,613, 6,651,063, 8,607,139, and 8,762,498 directed to network communication methods and systems. D.I. 1. Plaintiff filed a First Amended Complaint on June 11, 2021, further alleging infringement by Squarespace’s “App” and of U.S. Patent Nos. 7,209,959, 7,246,351, and 7,398,298, and a Second Amended Complaint on January 21, 2022. D.I. 21, 41. Defendant filed its answer to the Second Amended Complaint on February 14, 2021, denying infringement and asserting defenses of invalidity of the asserted patents under 35 U.S.C. §§ 101, 102, 103, 112 ¶¶ 1-2, double patenting, and equitable intervening rights, as well as for failure to state a claim. See D.I. 48. Meanwhile, Defendant filed a motion to dismiss on the pleadings on May 19, 2021 that was renewed on July 28, 2021 and denied on February 2, 2022. D.I. 16, 24, 43. Plaintiff served

its disclosure of accused products, damages model, and asserted patents on February 15, 2022. Defendant served its disclosure of core technical documents and sales figures on March 23, 2022. Plaintiff served its preliminary infringement contentions on May 12, 2022. Defendant served its preliminary invalidity contentions on June 29, 2022.

The parties filed their joint claim construction chart on November 3, 2022, and claim construction briefing is ongoing. The parties have proposed submitting a joint letter regarding testimony and length of the claim construction hearing on December 27, 2022. *See* D.I. 44, § 13; D.I. 65. The parties have proposed filing a joint claim construction brief on January 2, 2023. *See* D.I. 44, § 12; *see* D.I. 65.

There have been no discovery requests made to date.

Dated: November 15, 2022

Respectfully submitted,

STAMOULIS & WEINBLATT, LLC

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CERTIFICATE OF SERVICE

I hereby certify that on this date I caused a true copy of the above document to be filed using this Court's ECF System which caused it to be served by electronic mail upon the attorneys of record.

Dated: November 15, 2022

/s/ Stamatios Stamoulis
Stamatios Stamoulis